

ATTACHMENT A

**THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL,
ADOPTED ORDINANCE**

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (Z-91-22-5) FROM R1-6 (SINGLE-FAMILY RESIDENCE DISTRICT AND R-5 (MULTIFAMILY RESIDENCE DISTRICT) TO R-5 (MULTIFAMILY RESIDENCE DISTRICT).

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as follows:

SECTION 1. The zoning of a 4.97-acre site located approximately 1,000 feet west of the southwest corner of 39th Avenue and Camelback Road in a portion of Section 22, Township 2 North, Range 2 East, as described more specifically in Exhibit "A," is hereby changed from 2.94 acres of "R1-6" (Single-Family Residence District) and 2.03 acres of "R-5" (Multifamily Residence District) to "R-5" (Multifamily Residence District).

SECTION 2. The Planning and Development Director is instructed to modify the Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Exhibit "B."

SECTION 3. Due to the site's specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

1. The development shall be in general conformance with the site plan date stamped December 30, 2022 with specific regard to the location of the buildings, the location of the open space, a minimum 5-foot-wide pedestrian pathway extending through the open space and connecting to Camelback Road, and with building entrances oriented onto the open space, as modified by the following stipulations and as approved by the Planning and Development Department.
2. The development shall be in general conformance with the building elevations date stamped December 30, 2022, as modified by the following stipulations and as approved by the Planning and Development Department.
3. The public sidewalk along Camelback Road shall be constructed to a width of 6 feet and detached from the back of curb by a minimum 10-foot-wide landscape area planted to the following standards, as approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with the creation of a comfortable pedestrian environment.
 - a. Minimum 3-inch caliper, large canopy, single-trunk, shade trees shall be placed 25 feet on center or in equivalent groupings.
 - b. At tree maturity, the trees shall shade the sidewalks to a minimum 75 percent.
 - c. Drought tolerant shrubs and vegetative groundcovers shall be maintained at maximum height of 24 inches to provide a minimum of 75 percent live coverage at maturity.
4. The developer shall dedicate a 10-foot-wide sidewalk easement for the south side of Camelback Road, as approved by the Planning and Development Department.
5. The required landscape setback along the west property line shall be enhanced with 5-foot by 5-foot triangular islands every 80 to 100 feet that protrude into the parking area. This landscape setback shall be planted with minimum 2-inch caliper single trunk, shade trees placed 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.

6. The developer shall incorporate bicycle infrastructure as described below and as approved by the Planning and Development Department.
 - a. Bicycle parking shall be provided at a minimum of 0.25 spaces per unit for up to a maximum of 50 spaces, located near the entrances to the building, and installed per the requirements of Section 1307.H of the Phoenix Zoning Ordinance.
 - b. One bicycle repair station shall be provided and maintained in an area of high visibility to residents and within 75 feet of the Camelback Road right-of-way.
7. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping, and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
8. A bus stop pad shall be constructed on westbound Camelback Road designed according to City of Phoenix Standard Detail P1260 with a depth of 10 feet and spaced from the western driveway according to City of Phoenix Standard Detail P1258, as approved by the Planning and Development Department.
9. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
10. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.
11. A minimum of two recycling containers shall be provided on site, as approved by the Planning and Development Department.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 3rd day of May, 2023.

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Julie M. Kriegh, City Attorney

By:

REVIEWED BY:

Jeffrey Barton, City Manager

Exhibits:
A – Legal Description (1 Page)
B – Ordinance Location Map (1 Page)

EXHIBIT A

Parcel No. 1:

The West half of the West half of the Northwest quarter of the Northeast quarter of the Northwest quarter of Section 22, Township 2 North, Range 2 East of the Gila and Salt River Base and Meridian, situated in Maricopa County, State of Arizona;
Except the North 40 feet as set forth in Final Order of Condemnation recorded in Docket 13939, page 1555.

Parcel No. 2:

The East half of the West half of the Northwest quarter of the Northeast quarter of the Northwest quarter of Section 22, Township 2 North, Range 2 East of the Gila and Salt River Base and Meridian, situated in Maricopa County, State of Arizona;
Except the North 40 feet as set forth in Final Order of Condemnation recorded in Docket 13939, page 1555.

ORDINANCE LOCATION MAP

EXHIBIT B

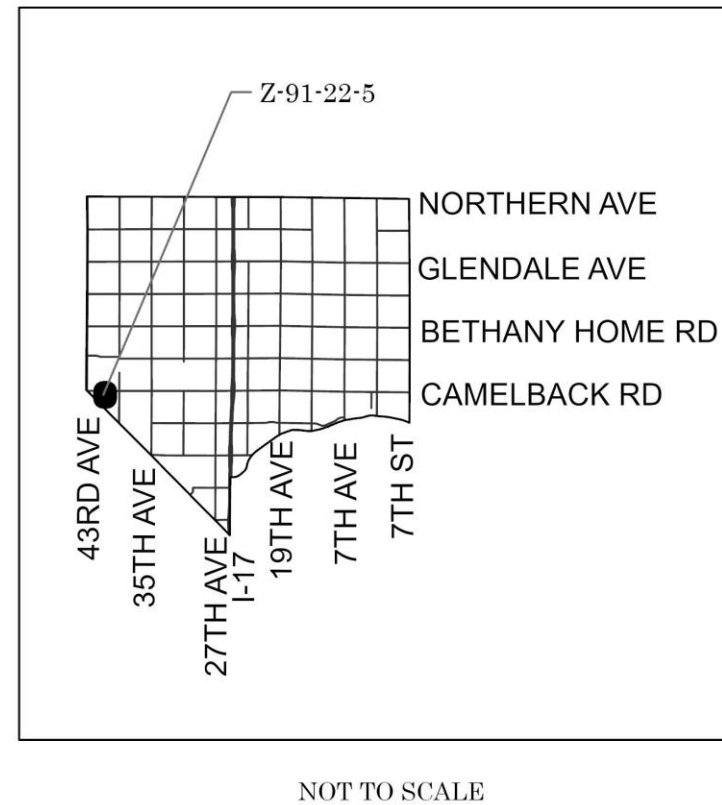
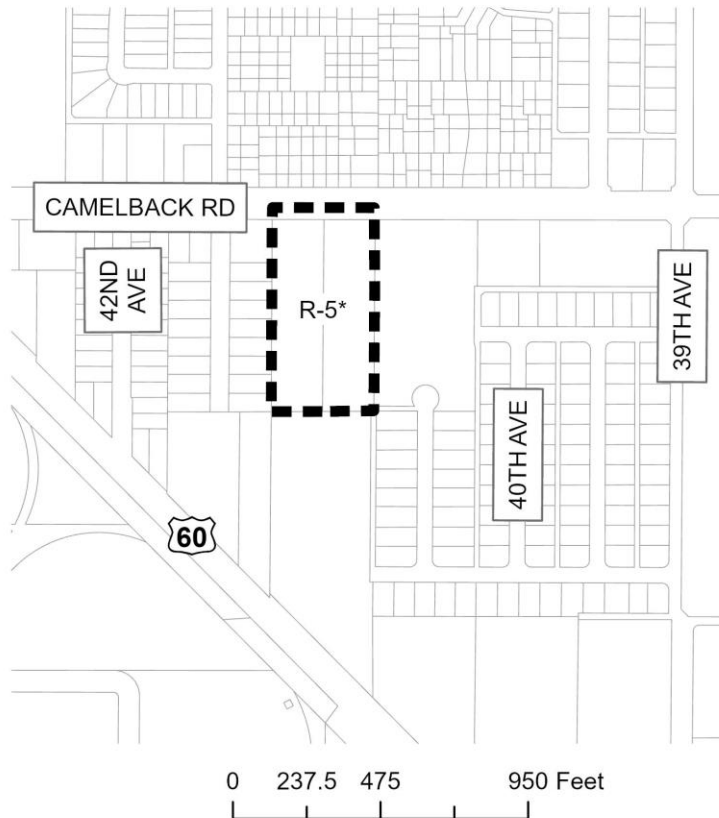
ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA: ■ ■ ■ ■ ■

Zoning Case Number: Z-91-22-5

Zoning Overlay: N/A

Planning Village: Alhambra



Drawn Date: 4/3/2023